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 Petitioner
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10	UNITED STATES DISTRICT COURT	
	CENTRAL DISTRICT OF CALIFORNIA	
11	UNITED STATES OF AMERICA,) Case No. SACV 08-1379
) CJC(MLGx)
12	Petitioner,)
)
13	v.) {PROPOSED} ORDER TO SHOW CAUSE
)
14	SIMON SINGER, J. ERIC FERGUSON,)
	BRUCE M. GIVNER, HARLENE)
15	GOODRICH, ROBERT RABAN, and)
	CHARLENE SAVAGE,)
16)
	Respondents.)
17)

18 Upon the Petition and supporting Memorandum of Points and
 19 Authorities, and the supporting Declaration to the Petition, the
 20 Court finds that Petitioner has established its *prima facie* case
 21 for judicial enforcement of the subject Internal Revenue Service
 22 summonses. See United States v. Powell, 379 U.S. 48, 57-58,
 23 85 S.Ct. 248, 13 L.Ed.2d 112 (1964); see also, Crystal v. United
 24 States, 172 F.3d 1141, 1143-1144 (9th Cir. 1999); United States
 25 v. Jose, 131 F.3d 1325, 1327 (9th Cir. 1997); Fortney v.
 26 United States, 59 F.3d 117, 119-120 (9th Cir. 1995) (the
 27 Government's *prima facie* case is typically made through the sworn
 28 declaration of the IRS agent who issued the summons); accord,

1 United States v. Gilleran, 992 F.2d 232, 233 (9th Cir. 1993).

2 Therefore, **IT IS ORDERED** that Respondents appear before this
3 District Court of the United States for the Central District of
4 California, in **Courtroom No. 9B, Ronald Reagan Federal Building**
5 **and United States Courthouse, 411 West Fourth Street, Santa Ana,**
6 **California, 92701 on February 26, 2009, at 1:30 p.m.,** and show
7 cause why the testimony and production of books, papers, records,
8 and other data demanded in the subject IRS administrative
9 summonses should not be compelled.

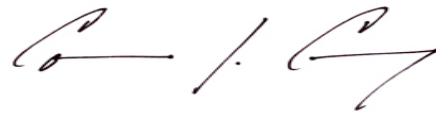
10 **IT IS FURTHER ORDERED** that copies of this Order, the
11 Petition, Memorandum of Points and Authorities, and accompanying
12 Declaration be served promptly upon Respondents by any person
13 authorized pursuant to Federal Rule of Civil Procedure 4(c)(2),
14 in accordance with the service provisions of Rule 4 of the
15 Federal Rules of Civil Procedure.

16 **IT IS FURTHER ORDERED** that within ten days after service
17 upon Respondents of the herein-described documents, Respondents
18 shall file and serve written responses, supported by appropriate
19 sworn statements, as well as any desired motions. If, prior to
20 the appearance date set by this Order, a Respondent files a
21 response with the Court stating that he or she does not desire to
22 oppose the relief sought in the Petition, nor wish to make an
23 appearance, then the appearance of that Respondent at any hearing
24 pursuant to this Order to Show Cause is excused, and that
25 Respondent shall be deemed to have complied with the requirements
26 of this Order.

27 **IT IS FURTHER ORDERED** that all motions and issues raised by
28 the pleadings will be considered on the appearance date set by this

1 Order. Only those issues raised by motion or brought into
2 controversy by the responsive pleadings and supported by sworn
3 statements filed within ten days after service of the herein-
4 described documents will be considered by the Court. All
5 allegations in the Petition not contested by such responsive
6 pleadings or by sworn statements will be deemed admitted.

7 SO ORDERED: This 8th day of January, 2009.

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10 CORMAC J. CARNEY
11 UNITED STATES DISTRICT JUDGE
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